



**Court Services and Offender Supervision Agency
for the District of Columbia**

POLICY MEMORANDUM

Policy Memorandum 2004-1

Policy Area: EEO

Effective Date: **JUL 13 2004**

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INVESTIGATION OF EEO COMPLAINTS

I. COVERAGE

This Policy Memorandum applies to all Court Services and Offender Supervision Agency ("CSOSA") and Pretrial Services Agency ("PSA") employees.

II. BACKGROUND

The Director of the Office of Equal Employment Opportunity, Diversity and Special Programs ("OEEO") periodically contracts with outside investigators to conduct and complete Equal Employment Opportunity investigations within a limited timeframe of typically 30 days. These investigators are under contract with OEEO and are authorized to obtain statements (including notarized affidavits) and/or documents from CSOSA and PSA employees. Usually the investigator will interview the employees and provide a draft statement based on the interview. Investigations shall be done in compliance with any applicable law, rule, or regulation.

III. POLICY

It is the policy of CSOSA and PSA that all employees must fully cooperate with the investigators by providing statements (including notarized affidavits) and/or documents, as requested and assisting the investigator in making a timely and complete investigation of the matter(s) giving rise to the complaint. Employees may seek representation to assist them during the investigation process. CSOSA or PSA employees will have seven calendar days to either provide information, or to provide the signed notarized statement to the investigator, or to contact the investigator and the Director of OEEO to indicate the reason(s) for the delay and when the statement (including notarized affidavits) and/or documents will be provided. The employee must cooperate with the investigator to timely resolve any disagreements concerning the information in the draft statement.

Former CSOSA or PSA employees currently employed by other Federal agencies are also expected to cooperate in investigations. Their cooperation will be obtained by contacting them at their current Federal agency. In the event former CSOSA or PSA employees fail to cooperate, their failure to cooperate will be reported to their Federal agency for appropriate action, including disciplinary action.

In order to ensure the integrity of the EEO process and to avoid delays in the completion of the investigation, current CSOSA or PSA employees and former CSOSA or PSA employees who are employed at other federal agencies will provide statements and/or information directly to the investigator. The Office of the General Counsel will not be required to review any statements (including notarized affidavits) or documents to be provided to the investigator. All questions regarding the information requested by the investigator are to be referred to the Director of OEEO.

In the event that an employee fails to cooperate, without good cause, such failure will be reflected in the record of the investigation and reported to the Director of OEEO. The failure to cooperate may also be reported to the CSOSA or PSA Director, and could result in disciplinary action against the employee.

IV. AUTHORITIES, SUPERSEDURES AND REFERENCES

A. Authorities.

- Title 29, Code of Federal Regulations, Part 1614, Federal Sector Equal Employment Opportunity.
- Equal Employment Opportunity Programs in the Court Services and Offender Supervision Agency (including the Pretrial Services Agency), Office of Equal Employment Opportunity, Diversity and Special Programs, dated April 19, 2002.

B. Supersedures.

None

C. Procedural References.

None